

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

RICKEY BANKS, )  
                  )  
                  )  
Plaintiff,      )  
                  )  
                  )  
v.                ) 1:24-cv-391  
                  ) 1:24-cv-415  
RYAN ROSS, ELIZABETH )  
WATERS, KELLYCE HEBERT, )  
ANDREW PROCHET, and )  
MICHAEL HUGGINS,     )  
                  )  
                  )  
Defendants.      )

**ORDER**

On February 10, 2025, the United States Magistrate Judge's Order and Recommendation ("Recommendation") was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Banks v. Ross, et al., 1:24-cv-391, Docs. 29, 30) and (Banks v. Ross, et al., 1:24-cv-415, Docs. 27, 28). No objections were filed within the time limits prescribed by Section 636.

Therefore, the court need not make a de novo review and the Magistrate Judge's Recommendation is hereby adopted.

**IT IS HEREBY ORDERED** that the Magistrate Judge's Recommendation in 1:24-cv-391, (Doc. 29) and 1:24-cv-415, Doc. 27), are **ADOPTED**. **IT IS FURTHER ORDERED** that Defendants Ross, Waters, and Prochet's Motion to Dismiss in 1:24-cv-391, (Doc. 16), and 1:24-cv-415, (Doc. 15), is **GRANTED** and the claims

against Defendants Ryan Ross, Elizabeth Waters, Kellyce Hebert, and Andrew Prochet are **DISMISSED WITHOUT PREJUDICE**.

**IT IS FURTHER ORDERED** that in light of the dismissal of all federal claims, the court declines to exercise supplement jurisdiction over Plaintiff's remaining state law claims against Defendant Huggins.

Therefore, **IT IS FURTHER ORDERED** that Plaintiff's Motion to Remand in 1:24-cv-391, (Doc. 15), and 1:24-cv-415, (Doc. 14), is **GRANTED** and the remaining state law claims against Defendant Michael Huggins are **REMANDED** to state court.

A Judgment dismissing this action will be filed contemporaneously with this Order.

This the 3rd day of March, 2025.

  
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United States District Judge